IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.M.JAMES

TUESDAY, THE 18TH JULY 2006 / 27TH ASHADHA,1928

Bail Appl..No. 4092 of 2006

CMP.1147/2006 of J.M.F.C.-I, CHENGANNUR
(CRIME NO.58/2006 OF VENMONY POLICE STATION)

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: PETITIONERS/ACCUSED.

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1. BIJU, AGED 28, S/O.THANKACHAN,
   MUKALAPPURAMBIL KIZHAKKATHIL, NETTIYAR SOUTH MURI,
   MAVELIKKARA TALUK.

2. VISWANATHAN @ KOCHUMON, AGED 36,
   S/O.KUTTY, CHERAMALA VEEDU, VETTIYAR MURI,
   MAVELIKKARA TALUK.

BY ADV. SRI.R.PADMAKUMAR

RESPONDENTS: COMPLAINANT.

STATE OF KERALA, REPRESENTED BY THE
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 18/07/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

J.M.JAMES, J.

B.A.4092/2006

DATED THIS THE 18TH DAY OF JULY, 2006

O R D E R

The petitioners 1 and 2 are accused 2 and 3 in crime No.58/2006 of Venmony Police Station, the offence being under Section 379 IPC read with Section 34 IPC. It is alleged that the first accused committed theft of cables weighing 1000 kilograms, from the house of the defacto complainant, a contractor of the Telephone Department. The accused were arrested on 4.6.2006. They are in judicial custody, from 5.6.2006, as remanded by the Court below. Hence this application, under Section 439 Cr.P.C.

2. During the hearing, the learned Public Prosecutor submitted that the petitioners are also accused in crime Nos.60/06, 61/06 and 62/06 of Venmony Police Station. The copies of the F.I.R had been produced by the counsel for the petitioners. On perusal, the learned Public Prosecutor submitted that though the first accused is arrayed as accused in those three crimes, registered by Venmony Police, the petitioners herein are not arrayed as accused. Hence the submission of the learned Public

Prosecutor that the petitioners are accused in other cases need not be a ground for in denying bail, to these petitioners, for the reason that the investigation, in respect of these petitioners, had already advanced further, in this case.

3. In the light of the materials, that are placed before me, I grant bail and release the petitioners from jail, subject to the following conditions:-

(a). Each petitioner shall execute a bond for Rs.20,000/-, with two solvent sureties, each for the like sum, to the satisfaction of the Judicial Magistrate of First Class-I, Chengannoor.

(b). Each petitioner shall report before the investigation officer, once in a week, on every Saturday, between 10.00 a.m and 11.00 a.m., for a period of two months, starting from 22.7.2006.

The application is allowed as above.

J.M.JAMES
JUDGE

mrcs